



Appeal Decision

Site Visit made on 17 June 2021

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 29 June 2021

Appeal Ref: APP/D3830/D/21/3272733

High Point, Brook Street, Cuckfield, HAYWARDS HEATH RH17 5JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Tara Hopwood of The Summit Trust against the decision of Mid Sussex District Council.
 - The application Ref DM/20/2920, dated 5 August 2020, was refused by notice dated 15 January 2021.
 - The development is various outbuildings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has been carried out. The application plans show 6 outbuildings for which planning permission is sought. The Council granted planning permission for the pool kitchen and carport in April 2021, so I shall only consider the 4 detached garages. The garages appear to be generally in accordance with the application plans, although the details of the garage doors are different. So, I shall deal with the appeal based on what I saw.

Main Issue

3. The main issue is the effect that the development has on the character of the countryside, which is within the High Weald Area of Outstanding Natural Beauty.

Reasons

4. The appeal site is outside any built-up area defined in the Mid Sussex District Plan 2014-2031 (LP), so it is, in policy terms, in the countryside. Close by, the undulating landscape of the countryside includes a mosaic of fields edged by hedgerows and occasional woodland blocks, which are important to its mainly open rural character. It is also within the Area of Outstanding Natural Beauty, which has the highest status of protection in relation to conserving and enhancing landscape and scenic beauty.
5. The broadly lozenge-shaped site is reached from the access near its roughly south east corner towards the end of Brook Green, which is a private road on the roughly west side of Brook Street. Most nearby dwellings are set back from their boundaries in generous plots, so they respect the character of the surrounding countryside. The site generally slopes down from roughly east to roughly west, so most of its higher ground is by its east boundary, and it offers open views across the valley. The arc-plan appeal dwelling, which is single

storey at the front and 2 storeys at the back, and its triple garage and carport by the south east corner of the site, are closely related to the access. So, although there is a swimming pool and pool kitchen in the lower part of the site, there is enough space beyond the dwelling to respect the character of the surrounding countryside.

6. The development includes a barely curved row of 4 flat roofed garages, which are sited close to one another on about the highest part of the site. They are close to the timber fence by the common boundaries with Greenhaven and North Ridge to roughly east, and they extend roughly north beyond the dwelling almost to its north boundary. The garages are taller than the east boundary fence but not as tall as the dwelling, and their floors are at a broadly similar level to the dwelling's upper floor. Their west facing fronts, which include part glazed garage doors, and sides, which include tall narrow glazed openings, are clad in timber. Their backs are finished in vertical profiled sheet.
7. Due to their bulky engineered forms and extensive spread across the upper part of the site, the row of garages harmfully erodes the open setting of the curving dwelling and dominates much of its grounds. Because the row of garages nearly fills the important open gap between the northernmost part of the dwelling and the site's north boundary, its built-up character and appearance is harmfully at odds with the character of the countryside. Moreover, in views from the public right of way across the valley to roughly west, the 4 strident box-like garages unacceptably intrude into the rural landscape and contrast starkly with the elegant dwelling that is nestled into the sloping hillside, so they do not conserve or enhance the landscape and scenic beauty of the Area of Outstanding Natural Beauty.
8. The appellant has referred to permitted development rights but as no relevant certificate of lawful use or development has been put to me, this matter attracts little weight. Whilst there are timber features in the front of the dwelling and the pool kitchen is timber clad, materials were not a concern of the Council in its reasons for refusal, and as suitable materials would not make this unacceptable development acceptable, I agree.
9. Therefore, I consider that the development harms the character of the surrounding countryside, and that it fails to conserve or to enhance the natural beauty of the Area of Outstanding Natural Beauty. It is contrary to LP Policy DP12 which aims to protect the countryside in recognition of its intrinsic character and beauty, and to maintain the quality of the rural and landscape character of the District, LP Policy DP16 and Policy AS3 of the Ansty, Staplefield & Brook Street Neighbourhood Plan 2015-2031 which aim for development to conserve or enhance natural beauty within the Area of Outstanding Natural Beauty, LP Policy DP26 which seeks high quality design and layout, and the National Planning Policy Framework (Framework).

Conclusion

10. I have found that the development is contrary to the Development Plan when considered as a whole. The other considerations, including the Framework, do not outweigh that conflict.
11. For the reasons given above, the appeal should be dismissed.

J Reid INSPECTOR